### CITY OF EL PASO, TEXAS **AGENDA ITEM** DEPARTMENT HEAD'S SUMMARY FORM

**DEPARTMENT:** 

Aviation

**AGENDA DATE:** 

March 30, 2010

CONTACT PERSON NAME AND PHONE NUMBER:

Monica Lombrana, A.A.E. – 780-4793

**DISTRICT(S) AFFECTED: 3** 

#### **SUBJECT:**

Resolution authorizing the City Manager to sign the First Amendment to the La Placita Lease Agreement by and between the City of El Paso and ShoeSpring, Inc. dba Spira for the purpose of extending the term to March 31, 2011.

The rental rates are as follows:

1,065 S.F. @ \$20.00/sf = \$21,300.00 per year (Minimum Annual Guarantee)

or

The Percentage Fee of 15% of the Lessee's Gross Receipts, whichever is greater.

#### BACKGROUND / DISCUSSION:

ShoeSpring, Inc. dba Spira currently has a lease agreement for premises located in the La Placita Shoping Mall ("La Placita") on the lower level of the terminal building. EPIA and Spira desire to amend the Agreement for the purpose of extending the term an additional year for the sole purpose of operating a retail facility for the sale of ShoeSpring and Spira Shoes and related products.

#### PRIOR COUNCIL ACTION:

La Placita Lease Agreement by and between the City of El Paso and ShoeSpring, Inc. dba Spira effective April 1, 2007 was approved by City Council on March 20, 2007.

#### AMOUNT AND SOURCE OF FUNDING:

N/A - Revenue Generating

**BOARD / COMMISSION ACTION:** 

Enter appropriate comments or N/A

**DEPARTMENT HEAD:** 

(If Department Head Summary Form is initiated by Purchasing, client department

should sign also)

# RESOLUTION

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager be authorized to sign the First Amendment to the La Placita Lease Agreement by and between the City of El Paso and ShoeSpring, Inc.<sup>TM</sup> dba Spira<sup>TM</sup> for the purpose of extending the term to March 31, 2011.

ADOPTED this	day of	2010.
		THE CITY OF EL PASO
ATTEST:		John F. Cook Mayor
Richarda Duffy Momsen City Clerk		
		ADDROVED AS TO CONTENT.
APPROVED AS TO FORM	:	APPROVED AS TO CONTENT:
Theresa Cullen Deputy City Attorney		Monica Lombraña, A.A.E. Director of Aviation

Doc. No.: 54798

Doc. Name: 1st Amendment - ShoeSpring dba Spira

STATE OF TEXAS	)	
	)	FIRST AMENDMENT TO
COUNTY OF EL PASO	)	LA PLACITA LEASE AGREEMENT

This First Amendment to the La Placita Lease Agreement is made by and between the City of El Paso ("Lessor") and ShoeSpring, Inc.<sup>TM</sup> dba Spira<sup>TM</sup>("Lessee").

WHEREAS, the Lessor and Lessee entered into a La Placita Lease Agreement ("Agreement") with an effective date of April 1, 2007 granting Lessee the right to lease space in the La Placita Shopping Mall on the lower level of the El Paso International Airport terminal building;

**WHEREAS**, Lessor and Lessee now desire to amend the Agreement for the purpose of extending the term an additional year to expire March 31, 2011.

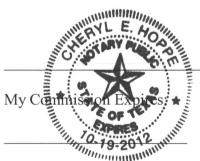
**NOW, THEREFORE,** in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1. <u>EXTENDED TERM</u>. The Lessor and Lessee mutually agree that the term of the Agreement is hereby extended through March 31, 2011.
- **2. EFFECTIVE DATE.** Regardless of the date of execution, this First Amendment shall be effective on April 1, 2010.
- 3. <u>TERMS AND CONDITIONS</u>. All remaining terms and conditions of the Agreement not specifically amended by this First Amendment shall remain in full force and effect.

(SIGNATURES BEGIN ON THE FOLLOWING PAGE)

IN WITNESS WHEREOF, this	amendment was executed on this day of
2010.	
	LESSOR: CITY OF EL PASO
	Joyce A. Wilson City Manager
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Theresa Cullen Deputy City Attorney	Monica Lombraña, A.A.E. Director of Aviation
ACKNO	OWLEDGMENT
STATE OF TEXAS )	
COUNTY OF EL PASO )	
This instrument was acknowledge 2010, by <b>Joyce A. Wilson</b> as <b>City Man</b>	
My Commission Expires:	Notary Public, State of Texas

(SIGNATURES CONTINUE ON FOLLOWING PAGE)



Notary Public, State of Texas

## RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO: